

# HOUSE BILL No. 1265

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-37-4-12.5.

**Synopsis:** Victim's statements in sexual offense cases. Prohibits a defendant who is charged with a sex offense from releasing to the public a statement made by the victim relating to: (1) the nature of the offense; or (2) the victim's past sexual conduct. Applies during any stage of the criminal proceeding. Provides that the release of the victim's statement by the defendant is punishable as contempt of court regardless of whether the defendant is convicted of the sex offense.

**Effective:** July 1, 1999.

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**Bodiker**

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January 11, 1999, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 35-37-4-12.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 1999]: **Sec. 12.5. (a) This section applies to a**  
4 **prosecution of a sex offense under IC 35-42-4 or IC 35-46-1-3**  
5 **(incest).**  
6       **(b) A defendant who is charged with a sex offense may not**  
7 **release or cause to be released to the public during any stage of the**  
8 **criminal proceeding a statement made by the victim relating to:**  
9       **(1) the nature of the sex offense; or**  
10       **(2) the victim's past sexual conduct.**  
11       **(c) A defendant who violates subsection (b) is guilty of contempt**  
12 **of court regardless of whether the defendant is convicted of the sex**  
13 **offense.**

